

## **REMARKS/ARGUMENTS**

Claims 4, 9, and 47-55 were rejected under 35 U.S.C. §112, second paragraph, on grounds related to the recitation of the substrate in claims 9 and 55. As amended, the claims no longer positively recite the substrate. Therefore, this rejection is requested to be withdrawn.

Claim 55 was rejected over JP '805 in view of JP '013. Claims 4, 9, 47, 48, 50-53 and 59-61 were rejected over JP '805 in view of Wen and JP '013. Claim 54 was rejected over JP '805, Wen, JP '013, and Matsukawa et al. Reconsideration is requested.

In each of currently amended claims 9, 55 and 59, it is recited that a radius of the atmosphere blocking member is smaller than a radius of the substrate by a radial width of a notch at a peripheral edge of the substrate. This limitation regarding the radius of the blocking member is a structural limitation of the apparatus, since the limitation is made to the blocking member in order to favorably process the substrate which has a notch and is worked upon by the apparatus.

Further, in each of currently amended claims 9, 55 and 59, it is also made clear that the atmosphere blocking member is so constructed and arranged that a peripheral edge thereof is not exposed around the substrate through the notch. This is also a structural limitation of the apparatus, and is definite for purposes of 35 U.S.C. §112. *Ex parte Dryssen*, 4 USPQ 338, 339 (BPAI 1930).

Moreover, claim 59 positively recites a combination of a substrate having a notch, and an apparatus physically associated with the substrate and having a specific structural size relationship with the substrate and its notch.

These structural limitations are not disclosed in any of the cited references. Furthermore,

there is not even a suggestion of these structural limitations in the cited references.

On page 5 of the Office Action, the Examiner states the following:

“In JP’805 the radius of the atmosphere blocking member is capable of being smaller than the radius of the substrate as desired depending the size and type of the substrate, see in the embodiment of Fig. 3C wherein the support members (3) have extended outside of the base (1). In any event Wen discloses (see column 4, lines 11-21) adjustable mounting members (fingers 42), one in the art would adjust support members in order to install different sizes of substrate (a substrate having smaller or larger diameter than the diameter of the atmosphere blocking member or base). As such, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a substrate having a larger radius than the radius of the atmosphere blocking member as desired.”

The applicant’s cannot agree with the Examiner’s argument. The adjustable mounting members (fingers 42) disclosed in Wen (U.S. 6,239,038) are for adjustment according to the height of the wafer and not for adjustment according to the radial size of the wafer (see column 4, lines 16-17). Therefore, the applicants cannot agree that the adjustable mounting members provide a suggestion to modify the radius of the disclosed wafer in accordance with a size of an atmosphere blocking member.

Further, as well known to one of ordinary skill in the art, in designing the apparatuses disclosed in JP’805, in Wen (U.S. 6,239,038), and in the present application, the size of a substrate-to-be-processed is first determined, and then, the structure of the various parts of the apparatus (including the size of the atmosphere blocking member) is designed in accordance with the determined size of the substrate-to-be-processed. To be more specific, the size of the

atmosphere blocking member is determined based on the size of the substrate-to-be-processed. In addition, the positions of the support member (3) in JP'805 are also determined based on the size of the substrate-to-be-processed.

Hence, the Examiner's statement "the radius of the atmosphere blocking member is capable of being smaller than the radius of the substrate as desired depending the size and type of the substrate" is contrary to how these types of apparatus are understood by those of ordinary skill in the art.

Further, as shown not only in Fig. 3C but also in Figs. 3A, 3B and 3D of JP'805, the support members (3) are not extended outside of the base (1), but are disposed and fixed on the base (1) at a peripheral edge thereof. This is also evidence of the fact that the apparatus disclosed in JP'805 is not designed to process a substrate whose size is the same as or larger than the atmosphere blocking member, as claimed. If it were so designed, then the support members would not properly support the substrate.

In summary, there is no suggestion in any of the references of a substrate processing apparatus in which:

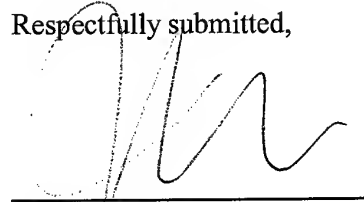
- an atmosphere blocking member is smaller than a substrate by a radial width of a notch in the edge of the substrate, and
- is so constructed and arranged that a periphery edge area thereof is not exposed around said substrate through the notch, as now claimed.

Therefore, it is submitted that amended claims 9, 55 and 59 and their dependent claims are allowable over the cited references.

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Respectfully submitted,



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